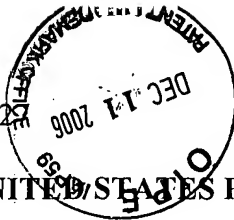




Packet No.: 051023-002



PATENT

131  
IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Katsuhiro YADA

Application No.: 10/551,474

Filed: September 30, 2005

Customer Number: 20277

Confirmation Number: 4393

Group Art Unit: 2613

Examiner: Not yet assigned

For: OPTICAL COMMUNICATION SYSTEM HAVING OPTICAL AMPLIFICATION  
FUNCTION

REQUEST FOR CORRECTED FILING RECEIPT

Mail Stop Filing Receipt  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached is a copy of the Filing Receipt received from the U.S. Patent and Trademark Office in the above-referenced application. It is noted that **the number of drawings is not listed, the total number of claims is listed incorrectly, and the domestic priority data is also listed incorrectly**. Attached is a copy of the Declaration, return receipt postcard, formal drawings, and the claims as filed, which evidences that **the number of pages of drawings is fourteen (14), the total number of claims is twenty-seven (27), and the priority data should appear as PCT/JP04/04664 03/31/2004**. It is requested that a corrected filing receipt be issued.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Stephen A. Becker  
Registration No. 26,527

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
Phone: 202.756.8000 SAB:ark  
Facsimile: 202.756.8087  
**Date: December 11, 2006**

**Please recognize our Customer No. 20277  
as our correspondence address.**



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/551,474	09/30/2005	2613	2460	051023-0027	(14)	(27) 326	3

CONFIRMATION NO. 4393

20277  
 McDERMOTT WILL & EMERY LLP  
 600 13TH STREET, N.W.  
 WASHINGTON, DC 20005-3096

**RECEIVED**  
 OCT 10 2006

McDermott Will & Emery LLP  
 DC Office

## FILING RECEIPT



\*OC000000020635817\*

Date Mailed: 10/05/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Katsuhiro Yada, Osaka, JAPAN;

**Power of Attorney:** The patent practitioners associated with Customer Number 20277.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP04/04664 (10/21/2004)

## Foreign Applications

JAPAN 2003-099570 04/02/2003  
 JAPAN 2003-110699 04/15/2003

03/31/2004

Projected Publication Date: 01/04/2007

Non-Publication Request: No

Early Publication Request: No

## Title

Optical communication system having optical amplification function

## Preliminary Class

398

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

---

### LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

#### **GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

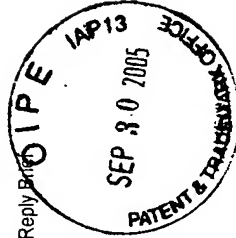
The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations

especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Applicant: <b>Katsuhiro YADA</b>		Docket No. <b>051023-0027</b>		Serial No. <b>Not yet assigned</b>	
Title: <b>OPTICAL COMMUNICATION SYSTEM HAVING OPTICAL AMPLIFICATION FUNCTION</b>					
Date Sent: <b>9/30/2005</b>	<input checked="" type="checkbox"/> Hand Carried	<input type="checkbox"/> Fax	<input type="checkbox"/> Electronic	<input type="checkbox"/> Cert. of Mailing	<input type="checkbox"/> 1st Class Mail
<input checked="" type="checkbox"/> Transmittal Letter	<input type="checkbox"/> New Patent App	<input type="checkbox"/> Utility	<input type="checkbox"/> Design	<input type="checkbox"/> Cont.	<input type="checkbox"/> CIP
<input type="checkbox"/> Other:	<input type="checkbox"/> Div. <input checked="" type="checkbox"/> PCT <input type="checkbox"/> RCE <input type="checkbox"/> Prov <input type="checkbox"/> Letter submitting _____ pages of drawings <input type="checkbox"/> Req. for Approval of Drawing Amendments <input type="checkbox"/> Req. for Oral Hearing <input type="checkbox"/> Not. of Appeal <input type="checkbox"/> Appeal Brief <input type="checkbox"/> Reply Brief <input type="checkbox"/> Rule 312 Amendment/Letter <input type="checkbox"/> Req. for Acknowledgement of Cited Art <input type="checkbox"/> Issue Fee <input type="checkbox"/> Publication Fee <input type="checkbox"/> Req. for Certificate of Correction <input type="checkbox"/> Maintenance Fee for _____ years after grant <input type="checkbox"/> Fee Address Indication Form <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> PCT Request <input checked="" type="checkbox"/> PCT/ISA/202, 210, 237 <input checked="" type="checkbox"/> Other Form PCT/IB/301, 304, 306, 308, 311				
57	pages of Specification				
9	pages of Claims				
1	pages of Abstract				
14	pages of Formal/Informal Drawings				
<input type="checkbox"/> Small Entity	<input checked="" type="checkbox"/> Large Entity				
<input checked="" type="checkbox"/> Declaration/Power of Attorney					
<input checked="" type="checkbox"/> Recordation of Assignment/Security Agreement					
<input checked="" type="checkbox"/> Information Disclosure Statement					
1	Form PTO 1449				
9	copies of cited references				
<input checked="" type="checkbox"/> Preliminary Amendment					
<input type="checkbox"/> Response to Missing Parts Notice					
<input type="checkbox"/> Resp. to Notice to Correct App. Papers					
<input type="checkbox"/> Certified Copy of Priority Doc.					
<input type="checkbox"/> Claim for Convention Priority					
<input type="checkbox"/> Response/Amendment to Office Action of					
<input type="checkbox"/> Request for _____ month Extension of Time					
Check for \$	<input checked="" type="checkbox"/> Charge Deposit Acct. 500417	\$ 2500	Atty Init	SAB	Tkpr. # 4233
					Secy. or PL: AP Humphries
CMS Descip.: 1-300 31-32-200		3-1560	4-40	Early Serial Number	



THE PATENT AND TRADEMARK OFFICE DATE STAMPED HEREON IS ACKNOWLEDGEMENT THAT THE ITEMS, CHECKED ABOVE, WERE RECEIVED BY THE PTO ON THE DATE STAMPED.